

EXHIBIT**A**

IN THE DISTRICT COURT OF DOUGLAS COUNTY, NEBRASKA

TYWANDA DENT, Individually,
and as Parent, Natural Guardian
and Next Friend of TYNELL
JIMMERSON, a Minor,

Plaintiffs,

vs.

THE CITY OF PAPILLION and
ROBERT MORRELL,

Defendants.

CASE NO. CI 23-

COMPLAINT

COMES NOW, the Plaintiffs, Tywanda Dent, Individually, and as Parent, Natural Guardian and Next Friend of Tynell Jimmerson, a Minor and for their cause of action against the Defendant, The City of Papillion states and alleges as follows:

1. Plaintiff, Tywanda Dent was at all times relevant hereto a resident of Omaha, Douglas County, Nebraska.
2. Plaintiff, Tynell Jimmerson, who is a minor at all times relevant hereto is a resident of Omaha, Douglas County Nebraska.
3. Defendant City of Papillion is a governmental entity operating under the laws of the State of Nebraska.
4. Defendant Robert Morrell ("Morrell") was at all times relevant hereto was an employee of the City of Papillion.
5. Defendant City of Papillion was Defendant Morrell's employer at the time of the accident hereinafter described and by reason of said accident, has been made party because Morrell was in the course and

scope of his employment with the City of Papillion, at the time of the hereinafter described accident.

JURISDICTION AND VENUE

6. The events that gave rise to this action occurred in Omaha, Douglas County, Nebraska, and accordingly, venue is proper pursuant to Neb. Rev. Stat. §25-403.01.

FACTS

7. That this claim in made pursuant to the political subdivision tort claim act, Neb. Rev. Stat. §13-901 et. Seq. Plaintiff has fulfilled every condition precedent to the filing of this lawsuit, those action include but are not necessarily limited to the following:

- a. That on July 14, 2022, a Notice of Claim was given to the City Papillion, a copy of such correspondence is attached hereto and marked as Exhibit “A.”
- b. Over six months have elapsed without the City of Papillion making an offer or settling this claim. Therefore, pursuant to Neb. Rev. Stat. §3-901, et seq., Plaintiff exercised his right to withdraw the claim from the City of Papillion. The written withdrawal of this was submitted on January 19, 2023, attached hereto as Exhibit “B.”

8. At all times material to the Complaint Defendant “Morrell” was acting within the scope of his employment with the Defendant City of Papillion, who is vicariously liable for Defendant “Morrell” negligence.

9. That on July 23, 2020, at approximately 3:44 p.m. at or near N. 60th Street and Pratt Street, in Omaha Douglas County, Nebraska a 2005 Hyundai Santa Fe, which Tynell Jimmerson was a passenger in

was traveling eastbound on Pratt Street, when the operator of the Hyundai Santa Fe collided with another vehicle at or near N. 60th Street then struck a traffic pole. The Hyundai Santa Fe was being pursued by “Morrell” at the time of the accident.

10. The City of Papillion is strictly liable for the personal injuries suffered by Plaintiff, hereinafter described, pursuant to the provisions of Neb. Rev. Stat. §13-911.

11. That as a direct and proximate result of the negligence of the Defendants and each of them, Plaintiff sustained the following damage:

- a. Medical care and expenses in the approximate minimum amount of \$35,533.85 itemized as follows:

City of Omaha	\$1,050.60
Nebraska Medicine	<u>\$33,483.25</u>
TOTAL	\$34,533.85

- b. Permanent injury-NJI2nd §4.01(1);
- c. Disability in the past and future=NJI2nd §4.01(1);
- d. Medical care and expenses in the past and future-NJI2nd §4.01(2);
- e. Lost work time-NJI2nd §4.01(3);
- f. Loss future earning capacity-NJI2nd §4.01(4);
- g. Physical pain, mental suffering, and emotional distress in the past and it is reasonably certain that he will sustain physical pain, mental suffering and emotional suffering in the future- NJI2nd §4.01(5); and,
- h. Inconvenience in the past and future – Neb. Rev. Stat. §25-21,185.08.

12. That said injuries have caused Plaintiff, Tynell Jimmerson to experience physical and mental pain and discomfort and have required Plaintiff, Tynell Jimmerson to undergo protracted medical treatment and will require future medical treatment.

13. At the time of the collision, Plaintiff was 16 years of age, in good health and had a life expectancy of 63.3 years.

WHEREFORE, Plaintiffs request judgment against the Defendants, each of them, for present special damages in a minimum amount of \$34,533.85 future special damages and general damages, and additional amounts which will fairly and adequately compensate Plaintiff for injuries, past and future pain and suffering, loss of household services, present lost wages, future lost wages, lost earning capacity, prejudgment interest, costs of this action, attorney's fees, and other further relief that the Court deems just and equitable.

DATED this 19th day of January, 2023.

TYWANDA DENT, Individually
and as Parent, Natural
Guardian, and Next Friend of
TYNELL JIMMERSON, a Minor,
Plaintiffs

BY: /s/ Greg Abboud
Greg Abboud, #17232
FOR: Abboud Law Firm
6530 S. 84th St.
Omaha, NE 68127
T: 402-592-5555/F: 402-331-4569
E-mail: greg@abboudlawfirm.com
Attorney for Plaintiff

ABBOUD LAW FIRM
ATTORNEYS AND COUNSELORS AT LAW

6530 SOUTH 84TH STREET
OMAHA, NEBRASKA 68127

CHRIS ABBOUD
GREG ABBOUD
KATHLEEN PERSON

PHONE: (402) 592-5555
FAX: (402) 331-4569

July 14, 2022

Nicole Brown
City of Papillion Clerk
122 E Third Street
Papillion, NE 68046

RE: Claimant: Tynell Jimmerson
Date of Loss: July 23, 2020

Dear Ms. Brown:

Please be advised that this office has been retained to represent the interests of Tynell Jimmerson in regard to injuries sustained in a motor vehicle accident which occurred on July 23, 2020 at or near N 60th street and Pratt St, in Omaha, Nebraska. Therefore, please direct any future correspondence or communication regarding this matter to this office.

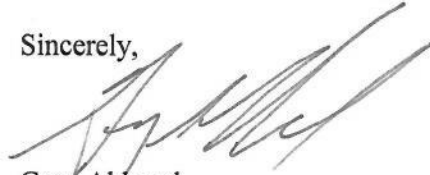
Pursuant to § 13-905 REISSUE REVISED STATUTES OF NEBRASKA, 1997, the above Claimant is hereby making a claim in writing, setting forth the time and place of the occurrence giving rise to the claim and such facts pertinent to the claim as are known to the claimant.

1. **Time and Place of Accident:** July 23, 2020 at approximately 3:44 p.m., at or near N 60th street and Pratt St, in Omaha, Douglas County, Nebraska.
2. **Other Facts Pertinent:** Tynell Jimmerson was a passenger in a 2005 Hyundai Santa Fe eastbound on Pratt Street and driven by Cardell Conner. Members of the Omaha Police Department were in active pursuit of the vehicle when Cardell Conner violated the red traffic light signal and collided with Michael Bradley. Michael Bradley, the driver of a grey 2019 Chevy Trax was northbound on N 60th street approaching the intersection on Pratt Street. This collision was the direct result of a police chase.
3. **Additional Information:** The Claimant is attaching and by this reference is incorporating herein as supplementary Exhibits to this notice the following items: Copy of the Investigator's Motor Vehicle Accident Report (Exhibit 1) and copy of the Omaha Police department incident report. (Exhibit 2)

Our client's personal injury case against the City of Omaha is currently in litigation (Tywanda Dent v. The City of Omaha, CI 22-3539). We were informed and received today, July 14, 2022, the attached Papillion Police Department Incident Report (Exhibit 3) from the attorneys with the City of Omaha. Officer Morrell, a police officer with the City of Papillion, was the officer in charge of the operation and the police pursuit.

This notice also serves to advise you that I have been retained by Tynell Jimmerson as his attorney as a result of damages and injuries sustained in the above-referenced accident.

Sincerely,



Greg Abboud

Encl.

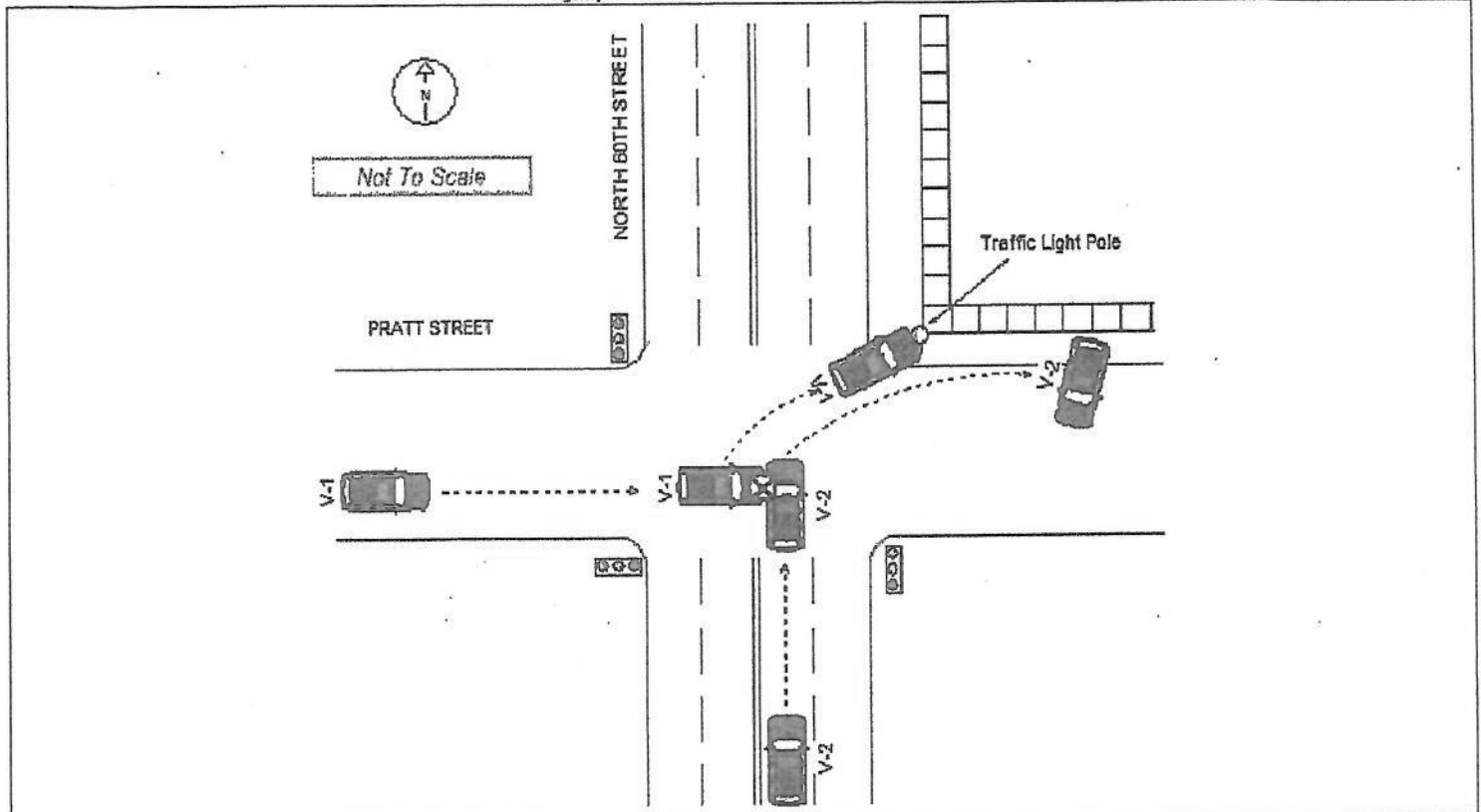
State of Nebraska

Investigator's Motor Vehicle Accident Report

Sheet 1 of 2

2	Total Number of Vehicles	Local No / District	District 23	Agency Case No	AP63796	HIT & RUN?	Yes	INVESTIGATION MADE AT SCENE?	Yes	L	1						
A1	DATE OF ACCIDENT	MM/DD/YYYY Thursday 07/23/2020				TIME OF ACCIDENT	15:44	STATE USE ONLY									
A2	PLACE OF ACCIDENT	COUNTY DOUGLAS COUNTY				POLICE NOTIFIED	15:44	<div style="border: 2px solid black; padding: 10px; text-align: center;"> EXHIBIT 1 </div>									
B	88	CITY OMAHA				PRIVATE PROPERTY	No										
C	1	ROAD ON WHICH ACCIDENT OCCURRED		STREET/HIGHWAY NO		N 60th St		LATITUDE									
D	1	DISTANCE FROM MILEPOST		HIGHWAY NO.		LONGITUDE											
V1/M	03	IF AT INTERSECTION		IF NOT AT INTERSECTION													
V1/M	03	NAME OF INTERSECTING ROADWAY		Pratt St													
V2/M	01	R. WORK ZONE CODES	R1	R2	R3	R4	S. PEDESTRIAN CLASSIFICATION CODES	S1	S2	S3	S4	S5-a	S5-b	S6-a	S6-b	DOES ACCIDENT INVOLVE DAMAGE TO STATE DEPT. OF TRANSPORTATION PROPERTY?	No
E	1	VEHICLE NO. 1															
F	1	DRIVER LICENSE NO.					STATE		SEX			Male					
V1/N	2	DRIVER					PHONE		LOCAL NO								
V1/N	2	CARDELL D CONNER					(531) 772-4009		3188269								
V2/N	2	DRIVER ADDRESS					DATE OF BIRTH		12/09/1999			V11					
V2/N	2	4913 N 65TH ST OMAHA, NE, 68104										18					
G	6	OWNER					PHONE		LOCAL NO			V12					
G	6	SHARINA REED					(000) 000-0000		2198881			V12					
H	5	OWNER ADDRESS					CITATION		CITATION NO			V13					
H	5	3527 N 54TH PLZ OMAHA, NE, 68104					N					V13					
V1/O	3	LICENSE PLATE					EXPIRATION YEAR		STATE			V14					
V1/O	3	WJC285					2020		NE			V14					
V2/O	3	VEHICLE	YEAR	MAKE	MODEL	BODY STYLE	COLOR	ESTIMATED DAMAGE				V15					
V2/O	3		2006	HYUN	SANTA FE	19	BLU	\$ 5,000				18					
I	1	VEHICLE ID NO. (VIN)					INSURANCE COMPANY					V16					
I	1	KM8SC13D65U879634					VIKING INS CO OF WI					25					
V1/P	1	TOWED TO					POLICY NO					V21					
V1/P	1	7809 F ST					11405049215					18					
V2/P	1	VEHICLE NO. 2										V22					
V2/P	1	DRIVER LICENSE NO.					STATE		SEX			Male					
J	01	DRIVER					PHONE		LOCAL NO			V23					
J	01	MICHAEL BRADLEY					(402) 763-7003		1772997			V23					
V1/Q	1	DRIVER ADDRESS					DATE OF BIRTH		01/20/1961			V24					
V1/Q	1	4222 MEREDITH AVE OMAHA, NE, 68111										V24					
V2/Q	1	OWNER					PHONE		LOCAL NO			V25					
V2/Q	1	MICHAEL BRADLEY					(402) 763-7003		1772997			18					
K	03	OWNER ADDRESS					CITATION		CITATION NO			V26					
K	03	4222 MEREDITH AVE OMAHA, NE, 68111					N					36					
L	03	LICENSE PLATE					EXPIRATION YEAR		STATE								
L	03																
M	03	VEHICLE	YEAR	MAKE	MODEL	BODY STYLE	COLOR	ESTIMATED DAMAGE									
M	03		2019	CHEV	TRAX	19	GRY	\$ 6,000									
N	03	VEHICLE ID NO. (VIN)					INSURANCE COMPANY										
N	03	3GNCJP3B9KL265255															
O	03	TOWED TO					POLICY NO										
O	03	7809 F ST					ARROW										

Complete this section for all injured persons						DATE OF BIRTH (MM/DD/YYYY)	1	2	3	4	5	SEX M F
VEH #	NAME	ADDRESS	LOCAL NO	MEDICAL FACILITY NAME	EMS SERVICE NAME	EMS UNIT NAME	Seat Position	Eject	Body Region	Injury Sev	Trans	
1	TYNELL D JIMMERSON	4714 N 65TH ST OMAHA, NE, 68104	3483490	Nebraska Medicine	Omaha Ambulance	MEDIC 41	03	1	01	2	2	M
2	MICHAEL BRADLEY	4222 MEREDITH AVE OMAHA, NE, 68111	1772997				01	1	12	4	1	M
3												
4												
5												
6												
7												
8												
9												
10												



DESCRIPTION OF ACCIDENT BASED ON OFFICER'S INVESTIGATION

Investigation revealed that vehicle 1 a blue Hyundai Santa Fe was eastbound on Pratt St, violated the red traffic light signal and collided with vehicle 2. Vehicle 2 a gray 2019 Chevy Trax was northbound on N 60th St approaching the intersection with Pratt St, when it was hit by vehicle 1. Driver 1 and passenger 1 both fled the scene on foot but were apprehended quickly. Driver 1 was later booked at Douglas County Corrections on multiple charges. See additional reports (AP63801) for further details.

VEHICLE MOVEMENT BEFORE COLLISION					POINT OF IMPACT AND MOST DAMAGED AREA (Enter numbers for each vehicle)				AIRBAG DEPLOYED VEHICLE 1		RESTRAINT USE VEHICLE 1		TOTAL OCCUPANTS		VEH 1	VEH 2	VEH 1	VEH 2	
VEH NO.	N	S	E	W	ROAD OR HIGHWAY NAME	VEHICLE 1		VEHICLE 2		VEHICLE 1		VEHICLE 1		Driver No. 1		Driver No. 2		Pedestrian	
1		X			Pratt St	POINT OF IMPACT	01	POINT OF IMPACT	07	1		9		Y	X	Y	X	Y	
2	X				N 60th St	MOST DAMAGED AREA	01	MOST DAMAGED AREA	07	1		9		N	X	N	X	N	
1	01				06 Turning left 07 Making U-turn	00 None		02	03	1 Deployed - front 2 Deployed - side 3 Deployed - both front/side 4 Not deployed 5 Not applicable/ No airbag available 6 Unknown	1 None used - vehicle occupant 2 Lap & shoulder belt used 3 Shoulder belt only used 4 Lap belt only used 5 Child safety seat used 6 Child booster seat used 7 DOT approved helmet used 8 Costume helmet used 9 Restraint use unknown	BAC LEVEL		ALCOHOL/DRUGS SUSPECTED		Driver No. 1 6		Driver No. 2 1	
2	01				08 Entering traffic lane 09 Leaving traffic lane 10 Parked 11 Slowing or stopped in traffic 12 Other 13 Unknown	01		04	05					1 Neither alcohol nor drugs suspected 2 Yes - alcohol suspected 3 Yes - drugs suspected 4 Yes - alcohol & drugs suspected 5 Unknown					
OFFICER NO. 2260					TROOP/TEAM/BEAT					DEPARTMENT OMAHA PD					PHOTOS TAKEN? Yes				
INVESTIGATOR NAME Nora MUJICAHERNANDEZ					INVESTIGATOR SIGNATURE Nora MUJICAHERNANDEZ					DATE OF REPORT 07/23/2020									

P2287315

tabular

2



OMAHA POLICE DEPARTMENT INCIDENT REPORT

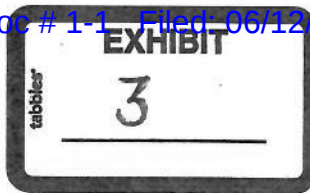


Report # P2287316		RB# AP63801																																																																														
<table border="1"> <tr> <th colspan="5">OCCURRED</th> <th colspan="5">REPORTED</th> </tr> <tr> <td colspan="5">Location Occurred 4913 N 65TH ST Omaha, Douglas County</td> <td colspan="5">Location Reported Same as Occurred Location</td> </tr> <tr> <td colspan="5">District # 23</td> <td colspan="5">District # </td> </tr> <tr> <td>Day of Week</td> <td>Month</td> <td>Day</td> <td>Year</td> <td>Hour:Minute</td> <td>Day of Week</td> <td>Month</td> <td>Day</td> <td>Year</td> <td>Hour:Minute</td> </tr> <tr> <td>THURSDAY</td> <td>07</td> <td>23</td> <td>2020</td> <td>15:44</td> <td>THURSDAY</td> <td>07</td> <td>23</td> <td>2020</td> <td>20:09</td> </tr> <tr> <td>THURSDAY</td> <td>07</td> <td>23</td> <td>2020</td> <td>15:44</td> <td colspan="5">CAD#</td> </tr> </table>				OCCURRED					REPORTED					Location Occurred 4913 N 65TH ST Omaha, Douglas County					Location Reported Same as Occurred Location					District # 23					District # 					Day of Week	Month	Day	Year	Hour:Minute	Day of Week	Month	Day	Year	Hour:Minute	THURSDAY	07	23	2020	15:44	THURSDAY	07	23	2020	20:09	THURSDAY	07	23	2020	15:44	CAD#																					
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PROPERTY STOLEN OR DAMAGED (EVIDENCE AND PROPERTY BOOKED/SEIZED ENTERED DIRECTLY INTO THE EVIDENCE TRACKING SYSTEM IS NOT LISTED HERE)																																																																																
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Narrative: On THU 23 JULY 2020 at approximately 1544 hours member of the Omaha Police Gang Unit were conducting surveillance at 4913 N 65th St, where they observed arrestee CONNER, Cardell D. (B/M DOB 12/09/1999) get into a blue Hyundai Santa Fe bearing NE plate WJC285. R/Os attempted to stop the vehicle. The vehicle failed to stop for officers and hit an unmarked Omaha Police Gang Unit Chevy Trailblazer intentionally. A vehicle pursuit was declared. The Hyundai Santa Fe continued to flee until it crashed at the intersection of N 60th St and Pratt St (AP63796). The driver of the Hyundai Santa Fe identified as CONNER, Cardell D. (B/M DOB 12/09/1999) fled on foot from the scene but was later apprehended. CONNER was later booked at Douglas County Corrections on multiple charges. See additional reports for further details.																																																																																

Report # P2287316

RB# AP63801

CIB Advised <input type="checkbox"/> YES <input checked="" type="checkbox"/> NO	Officer Advised	Serial No.
On Scene <input type="checkbox"/> CIB <input checked="" type="checkbox"/> Crime Lab	Investigator	Serial No.
Other Reports	INCIDENT REPORT , SUPPLEMENTAL REPORT , FELONY ARREST AFFIDAVIT	Assoc. RB Numbers AP63796
Reporting Officer MUJICAHERNANDEZ, Nora	Serial No. 2260	Approved By MENNING, Jason P. Serial No. 1514

**ORIGINAL**

AP63796

**PAPILLION POLICE DEPARTMENT
INCIDENT REPORT**

Papillion RN# PP20-14341
FBI#: 281D-OM 3209095
Omaha RBI#: AP63796

OFFENSE: Felony Warrant
 Felony Flight to Avoid Arrest
 PWID
 Assault on an Officer
 Leaving the Scene of a PD
 Reckless Driving

PERSONS REFERRED TO:	Cardell CONNER	b/m	12/09/99
	Ty'Nell JIMMERSON	b/m	07/27/04

PLACES REFERRED TO: 4913 N 65th Street, Omaha NE
 60th & Pratt Street

PROPERTY REFERRED TO: 2005 Blue Hyundai Santa GLS/LX (NE: WJC285)

SUMMARY: Vehicle Pursuit

INCIDENT:

I, Detective Robert Morrell/447, of the Papillion Police Dept., Sarpy County NE; and a team member of the FBI Greater Omaha Violent Crimes Task Force while on duty and in an official capacity, on 07/23/20 @ approximately 1542 hrs. assisted in the surveillance of a wanted fugitive, Jaynes Street Gang Member, Cardel CONNOR, believed to be at 4913 N. 65th Street, Omaha NE.

While monitoring radio traffic I heard information that CONNOR was armed and that there was evidence that he was inside the above-mentioned residence. At that time I positioned my vehicle described as a 2019 blue Chevy Tahoe just west of the intersection at 65th and Fowler Ave. I maintained that position securing an outer perimeter while monitoring radio traffic from other officers who had visual of the residence.

Shortly thereafter I overheard someone on the radio indicate that the suspect was seen exiting the residence with another male party later identified as Ty'Nell Jimmerson. A general description of the vehicle was provided before someone indicated that it struck an undercover police car as it was trying to flee the area. The next thing I heard was that the vehicle was travelling southbound on 65th street directly toward the intersection I was monitoring. I then observed the vehicle described as a blue Hyundai SUV speed past me through the intersection continuing southbound on 65th Street. I observed two black males in the front seat of the vehicle. The vehicle was travelling well in excess of the residential speed limit of 25mph. It never slowed

ORIGINAL

AP63796

down as it approach Ames Avenue and blew through the stop sign clearly posted at 65th and Ames. The suspect vehicle continued through the intersection at a high rate of speed without any regard for on-coming traffic. I initiated my lights and siren and informed the other units that I was pursuing the suspect vehicle. As I attempted to gain ground on the vehicle, I could not make out the license plates as I was approximately 1 ½ to 2 blocks behind it.

The suspect vehicle continued travelling at a high rate of speed south on 65th Street running the stop sign at Sprague Street and speeding past a playground at the intersection of 65th and Pratt Street. The suspect vehicle made a sharp turn east onto Pratt Street and continued eastbound. While continuing to pursue the vehicle eastbound on Pratt Street and calling out my locations on the radio, I observed the suspect vehicle crossing the center line of the road and almost crashing at the bottom of the hill on 63rd Street. The suspect vehicle bumped the left curb as it approached the intersection. The suspect vehicle ran the stop sign at 63rd street and continued speeding eastbound up the hill until I briefly lost sight as it entered the intersection of 60th and Pratt Street, where the suspect vehicle ultimately came to a stop by crashing into another vehicle.

My initial observation of the intersection was the presence of smoke which I later determined to have come from the air bags from one of the vehicles involved in the crash. As I crested the hill, I observed two vehicles visibly damaged on the northeast side of the road. I noticed two black males bolting from the suspect vehicle. One subject jumped out the passenger window. He was wearing a white tank top ran northeast through the yards. The other suspect who ran out the driver's side door started running south west through the backyard of the corner house. He was wearing a blue t-shirt.

After announcing the crash location on the radio and giving the suspects direction of travel, I began running after the suspect wearing the blue t-shirt. I lost visual of the suspect as he hopped a fence in the backyard of the corner residence. A large number of trees and brush, along with numerous out-buildings slowed me down and I ultimately lost visual of the suspect. I was not sure if he continued running or bedded down somewhere nearby. Since I was aware that the suspect may be armed, I backed out and secured a perimeter until other units/K-9 arrived.

The Omaha Fire Department arrived fairly quickly to secure the accident scene and assist with traffic control. I was informed at that time that a firearm had been located inside the suspect vehicle. It was later secured and processed by OPD investigating the scene. I did not go into the vehicle at any point in time. Other units arrived to set up a larger perimeter in the area to locate the suspects. I resumed my perimeter at the southwest corner of 60th and Ames until I was advised that both suspects were located and taken into custody.

It should be noted that at no time, through its entire course of travel, did the suspect vehicle use any turn signals, adhere to any stop signs, adhere to the speed limit or maintain a proper lane.

My commanding officer Sgt. Lori Long asked me and other involved units to return to the original scene at the suspects residence where I was later relieved and advised to complete this report. No further action. *End of Report/R. Morrell/447*

Exhibit B

PLACE STICKER AT TOP OF ENVELOPE TO THE RIGHT
OF THE RETURN ADDRESS. FOLD AT DOTTED LINE

CERTIFIED MAIL®

7016 3010 0000 6362 6924
7016 3010 0000 6362 6924

**U.S. Postal Service™
CERTIFIED MAIL® RECEIPT
Domestic Mail Only**

For delivery information, visit our website at www.usps.com®.

OFFICIAL USE

Certified Mail Fee \$ 4.00	Postmark Here
Extra Services & Fees (check box, add fee as appropriate)	
<input checked="" type="checkbox"/> Return Receipt (hardcopy) \$ 3.25	
<input type="checkbox"/> Return Receipt (electronic) \$ _____	
<input type="checkbox"/> Certified Mail Restricted Delivery \$ _____	
<input type="checkbox"/> Adult Signature Required \$ _____	
<input type="checkbox"/> Adult Signature Restricted Delivery \$ _____	
Postage \$ 57	
Total Postage and Fees \$ 7.82	
Sent To Nicole Brown, City of Papillion Clerk	
Street and Apt. No., or PO Box No. 122 E. Third Street	
City, State, ZIP+4® Papillion, NE 68046	
PS Form 3800, April 2015 PSN 7530-02-000-9047 See Reverse for Instructions	

ABBOUD LAW FIRM

ATTORNEYS AND COUNSELORS AT LAW

6530 SOUTH 84TH STREET
OMAHA, NEBRASKA 68127

CHRIS ABBODD
GREG ABBODD
KATHLEEN PERSON

PHONE: (402) 592-5555
FAX: (402) 331-4569

January 19, 2023

Nicole Brown
City of Papillion Clerk
122 E. Third Street
Papillion, NE 68046

RE: Claimant: Tynell Jimmerson
Date of Loss: July 23, 2020

Dear Ms. Brown:

Notice is hereby given, pursuant to the Political Subdivision Tort Claim Act, Neb. Rev. Stat. §13-901 et seq., that the claim of Tynell Jimmerson is withdrawn as of this date of this correspondence.

Very truly yours,


Greg Abboud

GRA//jlm

IN THE DISTRICT COURT OF DOUGLAS COUNTY, NEBRASKA

TYWANDA DENT, Individually,
and as Parent, Natural Guardian
and Next Friend of TYNELL
JIMMERSON, a Minor,

Plaintiffs,

vs.

THE CITY OF PAPILLION and
OFC. ROBERT MORRELL,

Defendants.

CASE NO. CI 23-502

AMENDED COMPLAINT

COMES NOW, the Plaintiffs, Tywanda Dent, Individually, and as Parent, Natural Guardian and Next Friend of Tynell Jimmerson, a Minor and for their cause of action against the Defendants, The City of Papillion and Ofc. Robert Morrell states and alleges as follows:

1. Plaintiff, Tywanda Dent was at all times relevant hereto a resident of Omaha, Douglas County, Nebraska.
2. Plaintiff, Tynell Jimmerson, who is a minor at all times relevant hereto is a resident of Omaha, Douglas County Nebraska.
3. Defendant City of Papillion is a governmental entity operating under the laws of the State of Nebraska.
4. Defendant Ofc. Robert Morrell ("Morrell") was at all times relevant hereto was an employee of the City of Papillion.
5. Defendant City of Papillion was Defendant Morrell's employer at the time of the accident hereinafter described and by reason of said accident, has been made party because Morrell was in the course and

scope of his employment with the City of Papillion, at the time of the hereinafter described accident.

JURISDICTION AND VENUE

6. The events that gave rise to this action occurred in Omaha, Douglas County, Nebraska, and accordingly, venue is proper pursuant to Neb. Rev. Stat. §25-403.01.

FACTS

7. That this claim in made pursuant to the political subdivision tort claim act, Neb. Rev. Stat. §13-901 et. Seq. Plaintiffs have fulfilled every condition precedent to the filing of this lawsuit, those action include but are not necessarily limited to the following:

- a. That on July 14, 2022, a Notice of Claim was given to the City Papillion, a copy of such correspondence is attached hereto and marked as Exhibit “A.”
- b. Over six months have elapsed without the City of Papillion making an offer or settling this claim. Therefore, pursuant to Neb. Rev. Stat. §3-901, et seq., Plaintiffs exercised their right to withdraw the claim from the City of Papillion. The written withdrawal of this was submitted on January 19, 2023, attached hereto as Exhibit “B.”

8. At all times material to the Complaint Defendant “Morrell” was acting within the scope of his employment with the Defendant City of Papillion, who is vicariously liable for Defendant “Morrell” negligence.

9. That on July 23, 2020, at approximately 3:44 p.m. at or near N. 60th Street and Pratt Street, in Omaha Douglas County, Nebraska a 2005 Hyundai Santa Fe, which Tynell Jimmerson was a passenger in

was traveling eastbound on Pratt Street, when the operator of the Hyundai Santa Fe collided with another vehicle at or near N. 60th Street then struck a traffic pole. The Hyundai Santa Fe was being pursued by “Morrell” at the time of the accident.

10. The City of Papillion is strictly liable for the personal injuries suffered by Plaintiff, Tynell Jimmerson, hereinafter described, pursuant to the provisions of Neb. Rev. Stat. §13-911.

11. That as a direct and proximate result of the negligence of the Defendants and each of them, Plaintiff, Tynell Jimmerson sustained the following damage:

- a. Medical care and expenses in the approximate minimum amount of \$35,533.85 itemized as follows:

City of Omaha	\$1,050.60
Nebraska Medicine	<u>\$33,483.25</u>
TOTAL	\$34,533.85

- b. Permanent injury-NJI2nd §4.01(1);
- c. Disability in the past and future=NJI2nd §4.01(1);
- d. Medical care and expenses in the past and future-NJI2nd §4.01(2);
- e. Lost work time-NJI2nd §4.01(3);
- f. Loss future earning capacity-NJI2nd §4.01(4);
- g. Physical pain, mental suffering, and emotional distress in the past and it is reasonably certain that he will sustain physical pain, mental suffering and emotional suffering in the future- NJI2nd §4.01(5); and,
- h. Inconvenience in the past and future – Neb. Rev. Stat. §25-21,185.08.

12. That said injuries have caused Plaintiff, Tynell Jimmerson to experience physical and mental pain and discomfort and have required Plaintiff, Tynell Jimmerson to undergo protracted medical treatment and will require future medical treatment.

13. At the time of the collision, Plaintiff Tynell Jimmerson was 16 years of age, in good health and had a life expectancy of 63.3 years.

WHEREFORE, Plaintiffs request judgment against the Defendants, each of them, for present special damages in a minimum amount of \$34,533.85 future special damages and general damages, and additional amounts which will fairly and adequately compensate Plaintiff for injuries, past and future pain and suffering, loss of household services, present lost wages, future lost wages, lost earning capacity, prejudgment interest, costs of this action, attorney's fees, and other further relief that the Court deems just and equitable.

DATED this 22nd day of January, 2023.

TYWANDA DENT, Individually
and as Parent, Natural
Guardian, and Next Friend of
TYNELL JIMMERSON, a Minor,
Plaintiffs

BY: /s/ Greg Abboud
Greg Abboud, #17232
FOR: Abboud Law Firm
6530 S. 84th St.
Omaha, NE 68127
T: 402-592-5555/F: 402-331-4569
E-mail: greg@abboudlawfirm.com
Attorney for Plaintiff

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CHRIS ABBOUD
GREG ABBOUD
KATHLEEN PERSON

PHONE: (402) 592-5555
FAX: (402) 331-4569

July 14, 2022

Nicole Brown
City of Papillion Clerk
122 E Third Street
Papillion, NE 68046

RE: Claimant: Tynell Jimmerson
Date of Loss: July 23, 2020

Dear Ms. Brown:

Please be advised that this office has been retained to represent the interests of Tynell Jimmerson in regard to injuries sustained in a motor vehicle accident which occurred on July 23, 2020 at or near N 60th street and Pratt St, in Omaha, Nebraska. Therefore, please direct any future correspondence or communication regarding this matter to this office.


Pursuant to § 13-905 REISSUE REVISED STATUTES OF NEBRASKA, 1997, the above Claimant is hereby making a claim in writing, setting forth the time and place of the occurrence giving rise to the claim and such facts pertinent to the claim as are known to the claimant.

1. **Time and Place of Accident:** July 23, 2020 at approximately 3:44 p.m., at or near N 60th street and Pratt St, in Omaha, Douglas County, Nebraska.
2. **Other Facts Pertinent:** Tynell Jimmerson was a passenger in a 2005 Hyundai Santa Fe eastbound on Pratt Street and driven by Cardell Conner. Members of the Omaha Police Department were in active pursuit of the vehicle when Cardell Conner violated the red traffic light signal and collided with Michael Bradley. Michael Bradley, the driver of a grey 2019 Chevy Trax was northbound on N 60th street approaching the intersection on Pratt Street. This collision was the direct result of a police chase.
3. **Additional Information:** The Claimant is attaching and by this reference is incorporating herein as supplementary Exhibits to this notice the following items: Copy of the Investigator's Motor Vehicle Accident Report (Exhibit 1) and copy of the Omaha Police department incident report. (Exhibit 2)

Our client's personal injury case against the City of Omaha is currently in litigation (Tywanda Dent v. The City of Omaha, CI 22-3539). We were informed and received today, July 14, 2022, the attached Papillion Police Department Incident Report (Exhibit 3) from the attorneys with the City of Omaha. Officer Morrell, a police officer with the City of Papillion, was the officer in charge of the operation and the police pursuit.

This notice also serves to advise you that I have been retained by Tynell Jimmerson as his attorney as a result of damages and injuries sustained in the above-referenced accident.

Sincerely,



Greg Abboud

Encl.

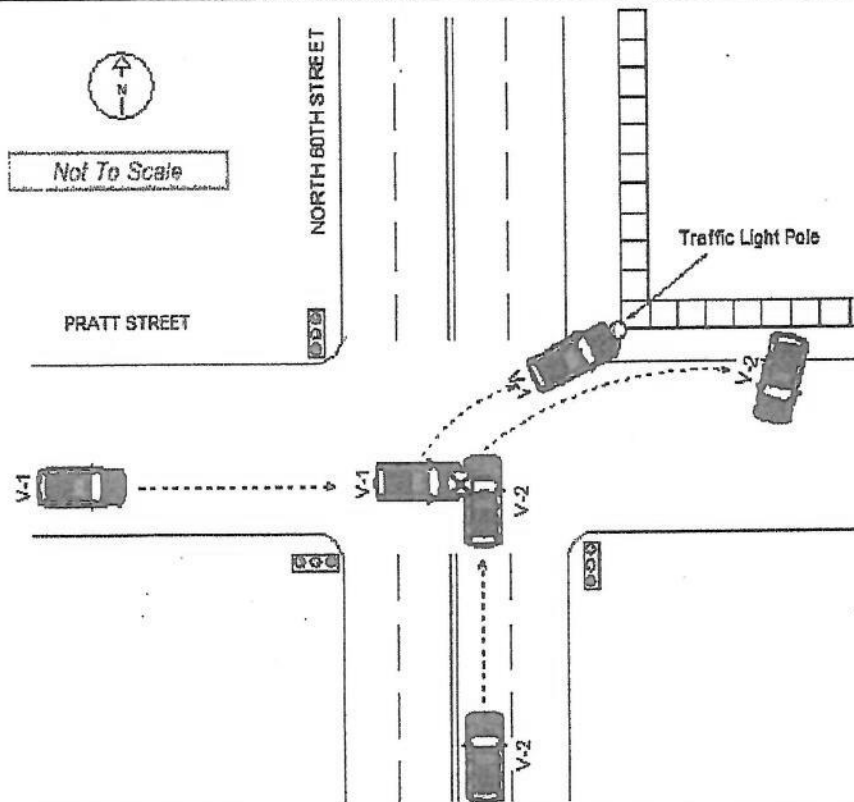
State of Nebraska

Investigator's Motor Vehicle Accident Report

Sheet 1 of 2

2	Total Number of Vehicles	Local No / District	District 23	Agency Case No	AP63796	HIT & RUN? Yes	INVESTIGATION MADE AT SCENE? Yes	L 1								
A1 01	DATE OF ACCIDENT	MM/DD/YYYY 07/23/2020 Thursday				TIME OF ACCIDENT 15:44	STATE USE ONLY	<div style="border: 2px solid black; padding: 10px; text-align: center;"> EXHIBIT 1 </div>								
A2	PLACE OF ACCIDENT	COUNTY DOUGLAS COUNTY				POLICE NOTIFIED 15:44										
B 88		CITY OMAHA				PRIVATE PROPERTY No										
C 1	ROAD ON WHICH ACCIDENT OCCURRED	STREET/HIGHWAY NO N 60th St				ONE-WAY No	LATITUDE									
D 1	DISTANCE FROM MILEPOST					HIGHWAY NO.	LONGITUDE									
V1/M 03	IF AT INTERSECTION		IF NOT AT INTERSECTION													
	NAME OF INTERSECTING ROADWAY		Pratt St													
V2/M 01	R. WORK ZONE CODES	R1 1	R2	R3	R4	S. PEDESTRIAN CLASSIFICATION CODES	S1	S2	S3	S4	S5-a	S5-b	S6-a	S6-b	DOES ACCIDENT INVOLVE DAMAGE TO STATE DEPT. OF TRANSPORTATION PROPERTY? No	
E 1	VEHICLE NO. 1															
F 1	DRIVER LICENSE NO.												STATE	SEX Male		
V1/N 2	DRIVER		CARDELL D CONNER										PHONE (531) 772-4009	LOCAL NO 3188269		
V2/N 2	DRIVER ADDRESS		4913 N 65TH ST OMAHA, NE, 68104										DATE OF BIRTH 12/09/1999	V11 18		
G 6	OWNER		SHARINA REED										PHONE (000) 000-0000	LOCAL NO 2198881	V12	
H 5	OWNER ADDRESS		3527 N 54TH PLZ OMAHA, NE, 68104										CITATION N	CITATION NO	V13	
V1/O 3	LICENSE PLATE		WJC285										EXPIRATION YEAR 2020	STATE NE	V14	
V2/O 3	VEHICLE	YEAR 2006	MAKE HYUN	MODEL SANTA FE	BODY STYLE 19	COLOR BLU	ESTIMATED DAMAGE \$ 5,000								V15 18	
I 1	VEHICLE ID NO. (VIN)		KM8SC13D65U879634										INSURANCE COMPANY VIKING INS CO OF WI	V16 25		
V1/P 1	TOWED TO		7809 F ST										TOWED BY ARROW	POLICY NO 11405049215	V21 18	
V2/P 1	VEHICLE NO. 2															
J 01	DRIVER		MICHAEL BRADLEY										PHONE (402) 763-7003	LOCAL NO 1772997	V22	
V1/Q 1	DRIVER ADDRESS		4222 MEREDITH AVE OMAHA, NE, 68111										DATE OF BIRTH 01/20/1961	V23		
V2/Q 1	OWNER		MICHAEL BRADLEY										PHONE (402) 763-7003	LOCAL NO 1772997	V24	
K 03	OWNER ADDRESS		4222 MEREDITH AVE OMAHA, NE, 68111										CITATION N	CITATION NO	V25 18	
	LICENSE PLATE												EXPIRATION YEAR	STATE	V26 36	
	VEHICLE	YEAR 2019	MAKE CHEV	MODEL TRAX	BODY STYLE 19	COLOR GRY	ESTIMATED DAMAGE \$ 6,000									
	VEHICLE ID NO. (VIN)		3GNCJP3B9KL265255										INSURANCE COMPANY			
	TOWED TO		7809 F ST										TOWED BY ARROW	POLICY NO		

Complete this section for all injured persons										DATE OF BIRTH (MM/DD/YYYY)	1	2	3	4	5	SEX M F	
VEH #	NAME	ADDRESS	LOCAL NO	MEDICAL FACILITY NAME	EMS SERVICE NAME	EMS UNIT NAME	EMS RUN REPORT NO	Seat Position	Eject	Body Region	Injury Sev	Trans					
1	TYNELL D JIMMERSON	4714 N 65TH ST OMAHA, NE, 68104	3483490	Nebraska Medicine	Omaha Ambulance	MEDIC 41	OMFD-2020-0033226	03	1	01	2	2	M				
2	MICHAEL BRADLEY	4222 MEREDITH AVE OMAHA, NE, 68111	1772997					01	1	12	4	1	M				
VEH #	NAME	ADDRESS	LOCAL NO	MEDICAL FACILITY NAME	EMS SERVICE NAME	EMS UNIT NAME	EMS RUN REPORT NO										



DESCRIPTION OF ACCIDENT BASED ON OFFICER'S INVESTIGATION

Investigation revealed that vehicle 1 a blue Hyundai Santa Fe was eastbound on Pratt St, violated the red traffic light signal and collided with vehicle 2. Vehicle 2 a gray 2019 Chevy Trax was northbound on N 60th St approaching the intersection with Pratt St, when it was hit by vehicle 1. Driver 1 and passenger 1 both fled the scene on foot but were apprehended quickly. Driver 1 was later booked at Douglas County Corrections on multiple charges. See additional reports (AP63801) for further details.

VEHICLE MOVEMENT BEFORE COLLISION					POINT OF IMPACT AND MOST DAMAGED AREA (Enter numbers for each vehicle)				AIRBAG DEPLOYED VEHICLE 1		RESTRAINT USE VEHICLE 1		TOTAL OCCUPANTS		VEH 1	VEH 2	VEH 1	VEH 2	
VEH NO.	N	S	E	W	ROAD OR HIGHWAY NAME	VEHICLE 1		VEHICLE 2						Driver No. 1	Driver No. 2	Pedestrian			
1		X			Pratt St	POINT OF IMPACT	01	POINT OF IMPACT	07	1		9		Y	Y	Y			
2	X				N 60th St	MOST DAMAGED AREA	01	MOST DAMAGED AREA	07			9		N	X	N			
1	01				06 Turning left 07 Making U-turn	00 None		02	03	04	1 None used - vehicle occupant 2 Lap & shoulder belt used 3 Shoulder belt only used 4 Lap belt only used 5 Child safety seat used 6 Child booster seat used 7 DOT approved helmet used 8 Costume helmet used 9 Restraint use unknown			Driver No. 1	Driver No. 2				
2	01				08 Entering traffic lane 09 Leaving traffic lane 10 Parked 11 Slowing or stopped in traffic 12 Other 13 Unknown	01		05	06					6	1				
01 Essentially straight ahead 02 Backing 03 Changing lanes 04 Overtaking/Passing 05 Turning right					01					03					1 Neither alcohol nor drugs suspected 2 Yes - alcohol suspected 3 Yes - drugs suspected 4 Yes - alcohol & drugs suspected 5 Unknown				
OFFICER NO. 2260					TROOP/TEAM/BEAT					DEPARTMENT OMAHA PD					PHOTOS TAKEN? Yes				
INVESTIGATOR NAME Nora MUJICAHERNANDEZ					INVESTIGATOR SIGNATURE Nora MUJICAHERNANDEZ					DATE OF REPORT 07/23/2020									

P2287315

2



OMAHA POLICE DEPARTMENT INCIDENT REPORT

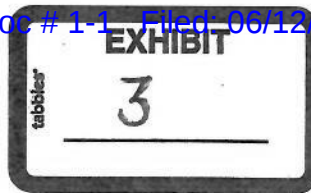


Report # P2287316		RB# AP63801																																																																					
<table border="1"> <tr> <th colspan="5">OCCURRED</th> <th colspan="5">REPORTED</th> </tr> <tr> <td colspan="5">Location Occurred 4913 N 65TH ST Omaha, Douglas County</td> <td colspan="5">Location Reported Same as Occurred Location</td> </tr> <tr> <td>Day of Week</td> <td>Month</td> <td>Day</td> <td>Year</td> <td>Hour:Minute</td> <td>Day of Week</td> <td>Month</td> <td>Day</td> <td>Year</td> <td>Hour:Minute</td> </tr> <tr> <td>THURSDAY</td> <td>07</td> <td>23</td> <td>2020</td> <td>15:44</td> <td>THURSDAY</td> <td>07</td> <td>23</td> <td>2020</td> <td>20:09</td> </tr> <tr> <td>THURSDAY</td> <td>07</td> <td>23</td> <td>2020</td> <td>15:44</td> <td colspan="5">CAD#</td> </tr> </table>				OCCURRED					REPORTED					Location Occurred 4913 N 65TH ST Omaha, Douglas County					Location Reported Same as Occurred Location					Day of Week	Month	Day	Year	Hour:Minute	Day of Week	Month	Day	Year	Hour:Minute	THURSDAY	07	23	2020	15:44	THURSDAY	07	23	2020	20:09	THURSDAY	07	23	2020	15:44	CAD#																						
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<p>Narrative: On THU 23 JULY 2020 at approximately 1544 hours member of the Omaha Police Gang Unit were conducting surveillance at 4913 N 65th St, where they observed arrestee CONNER, Cardell D. (B/M DOB 12/09/1999) get into a blue Hyundai Santa Fe bearing NE plate WJC285. R/Os attempted to stop the vehicle. The vehicle failed to stop for officers and hit an unmarked Omaha Police Gang Unit Chevy Trailblazer intentionally. A vehicle pursuit was declared. The Hyundai Santa Fe continued to flee until it crashed at the intersection of N 60th St and Pratt St (AP63796). The driver of the Hyundai Santa Fe identified as CONNER, Cardell D. (B/M DOB 12/09/1999) fled on foot from the scene but was later apprehended. CONNER was later booked at Douglas County Corrections on multiple charges. See additional reports for further details.</p>																																																																							

Report # P2287316

RB# AP63801

CIB Advised <input type="checkbox"/> YES <input checked="" type="checkbox"/> NO	Officer Advised	Serial No.
On Scene <input type="checkbox"/> CIB <input checked="" type="checkbox"/> Crime Lab	Investigator	Serial No.
Other Reports	INCIDENT REPORT , SUPPLEMENTAL REPORT , FELONY ARREST AFFIDAVIT	Assoc. RB Numbers AP63796
Reporting Officer MUJICAHERNANDEZ, Nora	Serial No. 2260	Approved By MENNING, Jason P. Serial No. 1514

**ORIGINAL**

AP63796

**PAPILLION POLICE DEPARTMENT
INCIDENT REPORT**

Papillion RN# PP20-14341
FBI#: 281D-OM 3209095
Omaha RBI#: AP63796

OFFENSE: Felony Warrant
 Felony Flight to Avoid Arrest
 PWID
 Assault on an Officer
 Leaving the Scene of a PD
 Reckless Driving

PERSONS REFERRED TO:	Cardell CONNER	b/m	12/09/99
	Ty'Nell JIMMERSON	b/m	07/27/04

PLACES REFERRED TO: 4913 N 65th Street, Omaha NE
 60th & Pratt Street

PROPERTY REFERRED TO: 2005 Blue Hyundai Santa GLS/LX (NE: WJC285)

SUMMARY: Vehicle Pursuit

INCIDENT:

I, Detective Robert Morrell/447, of the Papillion Police Dept., Sarpy County NE; and a team member of the FBI Greater Omaha Violent Crimes Task Force while on duty and in an official capacity, on 07/23/20 @ approximately 1542 hrs. assisted in the surveillance of a wanted fugitive, Jaynes Street Gang Member, Cardel CONNOR, believed to be at 4913 N. 65th Street, Omaha NE.

While monitoring radio traffic I heard information that CONNOR was armed and that there was evidence that he was inside the above-mentioned residence. At that time I positioned my vehicle described as a 2019 blue Chevy Tahoe just west of the intersection at 65th and Fowler Ave. I maintained that position securing an outer perimeter while monitoring radio traffic from other officers who had visual of the residence.

Shortly thereafter I overheard someone on the radio indicate that the suspect was seen exiting the residence with another male party later identified as Ty'Nell Jimmerson. A general description of the vehicle was provided before someone indicated that it struck an undercover police car as it was trying to flee the area. The next thing I heard was that the vehicle was travelling southbound on 65th street directly toward the intersection I was monitoring. I then observed the vehicle described as a blue Hyundai SUV speed past me through the intersection continuing southbound on 65th Street. I observed two black males in the front seat of the vehicle. The vehicle was travelling well in excess of the residential speed limit of 25mph. It never slowed

ORIGINAL

AP63796

down as it approach Ames Avenue and blew through the stop sign clearly posted at 65th and Ames. The suspect vehicle continued through the intersection at a high rate of speed without any regard for on-coming traffic. I initiated my lights and siren and informed the other units that I was pursuing the suspect vehicle. As I attempted to gain ground on the vehicle, I could not make out the license plates as I was approximately 1 ½ to 2 blocks behind it.

The suspect vehicle continued travelling at a high rate of speed south on 65th Street running the stop sign at Sprague Street and speeding past a playground at the intersection of 65th and Pratt Street. The suspect vehicle made a sharp turn east onto Pratt Street and continued eastbound. While continuing to pursue the vehicle eastbound on Pratt Street and calling out my locations on the radio, I observed the suspect vehicle crossing the center line of the road and almost crashing at the bottom of the hill on 63rd Street. The suspect vehicle bumped the left curb as it approached the intersection. The suspect vehicle ran the stop sign at 63rd street and continued speeding eastbound up the hill until I briefly lost sight as it entered the intersection of 60th and Pratt Street, where the suspect vehicle ultimately came to a stop by crashing into another vehicle.

My initial observation of the intersection was the presence of smoke which I later determined to have come from the air bags from one of the vehicles involved in the crash. As I crested the hill, I observed two vehicles visibly damaged on the northeast side of the road. I noticed two black males bolting from the suspect vehicle. One subject jumped out the passenger window. He was wearing a white tank top ran northeast through the yards. The other suspect who ran out the driver's side door started running south west through the backyard of the corner house. He was wearing a blue t-shirt.

After announcing the crash location on the radio and giving the suspects direction of travel, I began running after the suspect wearing the blue t-shirt. I lost visual of the suspect as he hopped a fence in the backyard of the corner residence. A large number of trees and brush, along with numerous out-buildings slowed me down and I ultimately lost visual of the suspect. I was not sure if he continued running or bedded down somewhere nearby. Since I was aware that the suspect may be armed, I backed out and secured a perimeter until other units/K-9 arrived.

The Omaha Fire Department arrived fairly quickly to secure the accident scene and assist with traffic control. I was informed at that time that a firearm had been located inside the suspect vehicle. It was later secured and processed by OPD investigating the scene. I did not go into the vehicle at any point in time. Other units arrived to set up a larger perimeter in the area to locate the suspects. I resumed my perimeter at the southwest corner of 60th and Ames until I was advised that both suspects were located and taken into custody.

It should be noted that at no time, through its entire course of travel, did the suspect vehicle use any turn signals, adhere to any stop signs, adhere to the speed limit or maintain a proper lane.

My commanding officer Sgt. Lori Long asked me and other involved units to return to the original scene at the suspects residence where I was later relieved and advised to complete this report. No further action. *End of Report/R. Morrell/447*

Exhibit B

U.S. Postal Service™ CERTIFIED MAIL® RECEIPT Domestic Mail Only	
For delivery information, visit our website at www.usps.com ®.	
OFFICIAL USE	
Certified Mail Fee \$ 4.00	Postmark Here
Extra Services & Fees (check box, add fee as appropriate) <input checked="" type="checkbox"/> Return Receipt (hardcopy) \$ 3.25 <input type="checkbox"/> Return Receipt (electronic) \$ _____ <input type="checkbox"/> Certified Mail Restricted Delivery \$ _____ <input type="checkbox"/> Adult Signature Required \$ _____ <input type="checkbox"/> Adult Signature Restricted Delivery \$ _____	
Postage \$ 57	
Total Postage and Fees \$ 7.82	
Sent To Nicole Brown, City of Papillion Clerk	
Street and Apt. No., or PO Box No. 122 E. Third Street	
City, State, ZIP+4® Papillion, NE 68046	
PS Form 3800, April 2015 PSN 7530-02-000-9047 See Reverse for Instructions	

 PLACE STICKER AT TOP OF ENVELOPE TO THE RIGHT
 OF THE RETURN ADDRESS. FOLD AT DOTTED LINE

CERTIFIED MAIL®


7016 3010 0000 6362 6924

7016 3010 0000 6362 6924

ABBOUD LAW FIRM

ATTORNEYS AND COUNSELORS AT LAW

6530 SOUTH 84TH STREET
OMAHA, NEBRASKA 68127

CHRIS ABBODD
GREG ABBODD
KATHLEEN PERSON

PHONE: (402) 592-5555
FAX: (402) 331-4569

January 19, 2023

Nicole Brown
City of Papillion Clerk
122 E. Third Street
Papillion, NE 68046

RE: Claimant: Tynell Jimmerson
Date of Loss: July 23, 2020

Dear Ms. Brown:

Notice is hereby given, pursuant to the Political Subdivision Tort Claim Act, Neb. Rev. Stat. §13-901 et seq., that the claim of Tynell Jimmerson is withdrawn as of this date of this correspondence.

Very truly yours,


Greg Abboud

GRA//jlm

Certificate of Service

I hereby certify that on Monday, January 23, 2023 I provided a true and correct copy of the Amended Complaint to the following:

Morrell,Robert, service method: Certified Mail

The City of Papillion service method: Certified Mail

Signature: /s/ Gregory R Abboud (Bar Number: 17232)

Image ID:
D00837625D01

SUMMONS

Doc. No. 837625

IN THE DISTRICT COURT OF Douglas COUNTY, NEBRASKA
1701 Farnam
Omaha NE 68183

Tywanda Dent v. The City of Papillion

Case ID: CI 23 502

TO: Robert Morrell

FILED BY

Clerk of the Douglas District Court
01/23/2023

You have been sued by the following plaintiff(s):

Tywanda Dent

Tynell Jimmerson Minor

Plaintiff's Attorney: Gregory R Abboud
Address: 6530 So 84th Street
Omaha, NE 68127-4139

Telephone: (402) 592-5555

A copy of the complaint/petition is attached. To defend this lawsuit, an appropriate response must be served on the parties and filed with the office of the clerk of the court within 30 days of service of the complaint/petition. If you fail to respond, the court may enter judgment for the relief demanded in the complaint/petition.

Nebraska Supreme Court Rule 2-208 requires individuals involved in a case who are not attorneys and representing themselves to provide their email address to the court in order to receive notice by email from the court about the case. Complete and return the attached form to the court if representing yourself.

Date: JANUARY 23, 2023

BY THE COURT:

Roytal Shoacka
Clerk



Image ID:
D00837625D01

SUMMONS

Doc. No. 837625

PLAINTIFF'S DIRECTIONS FOR SERVICE OF SUMMONS AND A COPY OF THE
COMPLAINT/PETITION ON:

Robert Morrell
c/o: Nicole Brown-City Clerk
122 E. Third St.
Papillion, NE 68046

Method of service: Certified Mail

You are directed to make such service within ten days after the date of issue,
and file with the court clerk proof of service within ten days after the signed
receipt is received or is available electronically, whichever occurs first.

	SERVICE RETURN	Doc. No. 837625
--	-----------------------	-----------------

Douglas District Court
1701 Farnam
Omaha NE 68183

To:

Case ID: CI 23 502 Tywanda Dent v. The City of Papillion

Received this Summons on _____, _____. I hereby certify that on _____, _____ at _____ o'clock __M. I served copies of the Summons upon the party:

by _____

as required by Nebraska state law.

Service and return \$ _____

Copy _____

Mileage ____miles _____

TOTAL \$ _____

Date: _____ BY: _____
(Sheriff or authorized person)

CERTIFIED MAIL PROOF OF SERVICE

Copies of the Summons were mailed by certified mail,
TO THE PARTY: _____

At the following address: _____

on the _____ day of _____, as required by Nebraska state law.

Postage \$ _____ Attorney for: _____

The return receipt for mailing to the party was signed on _____, _____.

To: Robert Morrell
c/o: Nicole Brown-City Clerk
122 E. Third St.
Papillion, NE 68046

From: Gregory R Abboud
6530 So 84th Street
Omaha, NE 68127-4139

ATTACH RETURN RECEIPT & RETURN TO COURT

SERVICE RETURN

Case Number: D01CI230000502

Transaction ID: 001374246

Filing Date: 01/30/2023 09:36:15 AM CST

Douglas District Court
1701 Farnam
Omaha NE 68183

To:

Case ID: CI 23 502 Tywanda Dent v. The City of Papillion

Received this Summons on _____, _____. I hereby certify that on

_____, ____ at _____ o'clock __M. I served copies of the Summons upon the party:

by _____

as required by Nebraska state law.

Service and return \$ _____

Copy _____

Mileage ____miles _____

TOTAL \$ _____

Date: _____ BY: _____
(Sheriff or authorized person)

CERTIFIED MAIL PROOF OF SERVICE

Copies of the Summons were mailed by certified mail,
TO THE PARTY: _____ Robert Morrell _____

At the following address: _____ c/o Nicole Brown - City Clerk _____

_____ 122 E. Third Street _____

_____ Papillion, NE 68046 _____

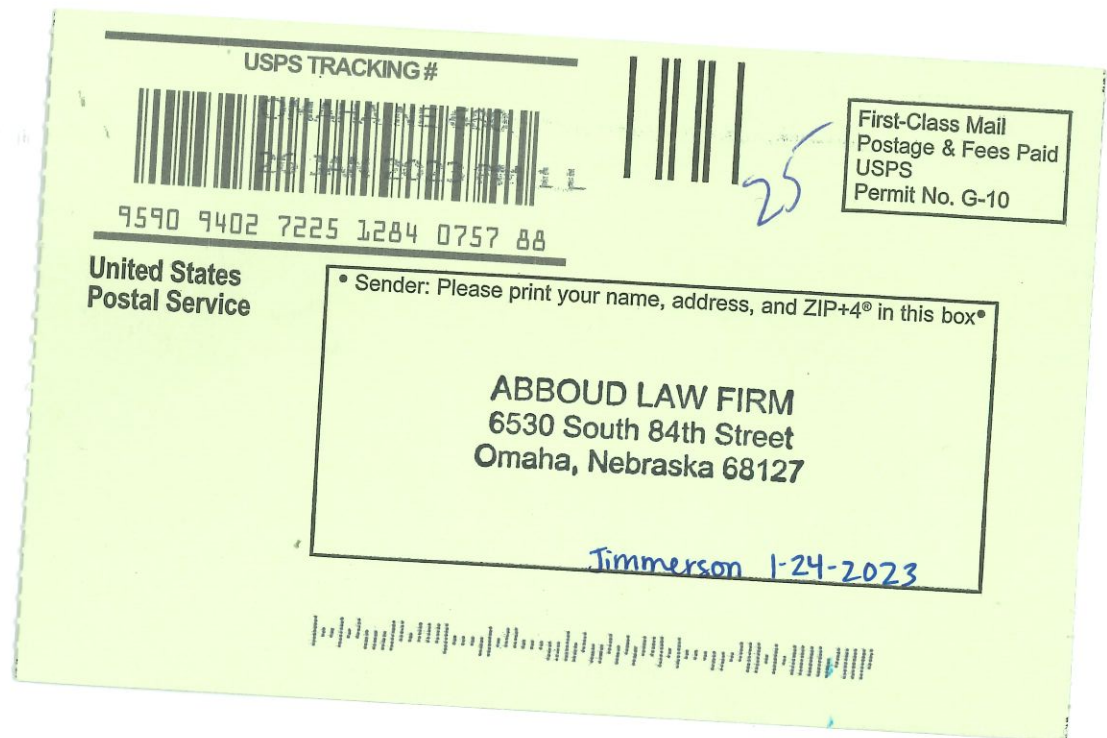
on the 24th day of January, 2023 _____, as required by Nebraska state law.Postage \$ 9.48 Attorney for: _____ /s/Greg Abboud _____The return receipt for mailing to the party was signed on January 26, 2023.

To: Robert Morrell
c/o: Nicole Brown-City Clerk
122 E. Third St.
Papillion, NE 68046

From: Gregory R Abboud
6530 So 84th Street
Omaha, NE 68127-4139

ATTACH RETURN RECEIPT & RETURN TO COURT

SENDER: COMPLETE THIS SECTION		COMPLETE THIS SECTION ON DELIVERY	
<p>■ Complete items 1, 2, and 3.</p> <p>■ Print your name and address on the reverse so that we can return the card to you.</p> <p>■ Attach this card to the back of the mailpiece, or on the front if space permits.</p>		<p>A. Signature <input checked="" type="checkbox"/> <i>Sarah Boetcher</i> <input type="checkbox"/> Agent <input type="checkbox"/> Addressee</p>	
<p>1. Article Addressed to:</p> <p><i>Robert Morrell</i> <i>c/o Nicole Brown-City Clerk</i> <i>122 E. Third Street</i> <i>Papillion, NE 68046</i></p>		<p>B. Received by (Printed Name) <i>Sarah Boetcher</i></p>	<p>C. Date of Delivery <i>1-26</i></p>
<p>2. Article Number (Transfer from service label)</p> <p><i>7016 3010 0000 6362 6917</i></p>		<p>D. Is delivery address different from item 1? <input type="checkbox"/> Yes If YES, enter delivery address below: <input type="checkbox"/> No</p>	
<p>3. Service Type</p> <p><input type="checkbox"/> Adult Signature</p> <p><input type="checkbox"/> Adult Signature Restricted Delivery</p> <p><input checked="" type="checkbox"/> Certified Mail®</p> <p><input type="checkbox"/> Certified Mail Restricted Delivery</p> <p><input type="checkbox"/> Collect on Delivery</p> <p><input type="checkbox"/> Collect on Delivery Restricted Delivery</p> <p><input type="checkbox"/> Insured Mail</p> <p><input type="checkbox"/> Insured Mail Restricted Delivery (over \$500)</p>		<p><input type="checkbox"/> Priority Mail Express®</p> <p><input type="checkbox"/> Registered Mail™</p> <p><input type="checkbox"/> Registered Mail Restricted Delivery</p> <p><input checked="" type="checkbox"/> Signature Confirmation™</p> <p><input type="checkbox"/> Signature Confirmation Restricted Delivery</p>	
<p>9590 9402 7225 1284 0757 88</p>		<p>Domestic Return Receipt</p>	



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OFFICIAL USE

Certified Mail Fee	\$ 4.15
Extra Services & Fees (check box, add fees as appropriate)	
<input checked="" type="checkbox"/> Return Receipt (hardcopy)	\$ 3.35
<input type="checkbox"/> Return Receipt (electronic)	\$
<input type="checkbox"/> Certified Mail Restricted Delivery	\$
<input type="checkbox"/> Adult Signature Required	\$
<input type="checkbox"/> Adult Signature Restricted Delivery	\$
Postage	\$ 1.98
Total Postage and Fees	\$ 9.48

Postmark Here

Sent To
 Robert Morrell c/o Nicole Brown - City Clerk
 Street and Apt. No., or PO Box No.
 122 E. Third St
 City, State, ZIP+4®
 Papillion, NE 68046

PS Form 3800, April 2015 PSN 7530-02-000-9047 See Reverse for Instructions

Certificate of Service

I hereby certify that on Monday, January 30, 2023 I provided a true and correct copy of the Return-Summons/Alias Summons to the following:

Signature: /s/ Gregory R Abboud (Bar Number: 17232)

IN THE DISTRICT COURT OF DOUGLAS COUNTY, NEBRASKA

TYWANDA DENT, Individually,)	CASE NO. CI 23-502
and as Parent, Natural Guardian)	
and Next Friend of TYNELL)	
JIMMERSON, a Minor,)	
)	
Plaintiffs,)	ANSWER TO
)	AMENDED COMPLAINT
vs.)	
THE CITY OF PAPILLION and)	
OFC. ROBERT MORRELL,)	
)	
Defendants.)	

COME NOW Defendants, City of Papillion (“City of Papillion”), a political subdivision of the State of Nebraska, and Officer Robert Morrell (“Detective Morrell”) (collectively, “Defendants”), by and through their undersigned counsel, and answer the allegations set forth in Plaintiffs’ Amended Complaint by corresponding numbered paragraphs below, generally denying all such allegations except as expressly admitted herein and those allegations deemed to be against the interests of one or both Plaintiffs, as follows:

1. Defendants deny the allegations of paragraph 1 of Plaintiffs’ Amended Complaint due to lack of information and knowledge sufficient to form a belief as to the truth of such allegations.
2. Defendants deny the allegations of paragraph 2 of Plaintiffs’ Amended Complaint due to lack of information and knowledge sufficient to form a belief as to the truth of such allegations.
3. Defendants admit that City of Papillion is a political subdivision of the State of Nebraska as defined by the Political Subdivisions Tort Claims Act, Neb. Rev. Stat. § 13-901 et seq., that operates under the laws of the State of Nebraska.
4. Defendants admit that Detective Morrell was at all times relevant hereto employed by the City of Papillion. Defendants affirmatively allege that Detective Morrell was at all times relevant hereto also a team member of the FBI Greater Omaha Violent Crimes Task Force.

5. Defendants admit that City of Papillion was Detective Morrell's employer at the time of the alleged accident underlying Plaintiffs' Amended Complaint, but Defendants deny all remaining allegations of paragraph 5 of Plaintiffs' Amended Complaint due to lack of information and knowledge sufficient to form a belief as to the truth of such allegations.

6. Paragraph 6 of Plaintiffs' Amended Complaint is an alleged statement of law to which no response is required; however, to the extent a response is required, Defendants admit that venue is proper in Omaha, Douglas County, Nebraska, and deny all remaining allegations of paragraph 6 of Plaintiffs' Amended Complaint.

7. Defendants admit City of Papillion received Exhibit "A" and Exhibit "B" attached to Plaintiffs' Amended Complaint, but Defendants deny all remaining allegations of paragraphs 7, 7(a), and 7(b) of Plaintiffs' Amended Complaint.

8. With respect to paragraph 8 of Plaintiffs' Amended Complaint, Defendants deny all alleged liability and alleged negligence, and Defendants further deny all remaining allegations of paragraph 8 of Plaintiffs' Amended Complaint due to lack of information and knowledge sufficient to form a belief as to the truth of such allegations.

9. Defendants admit that on July 23, 2020, an individual, later identified as Tynell Jimmerson, was a passenger in a 2005 Hyundai Santa Fe in the area of 60th and Pratt Streets in Omaha, Douglas County, Nebraska, when the driver of the 2005 Hyundai Santa Fe, later identified as Cardell D. Conner, was involved in a collision with another vehicle; however, Defendants deny all remaining allegations of paragraph 9 of Plaintiffs' Amended Complaint due to lack of information and knowledge sufficient to form a belief as to the truth of such allegations. Defendants affirmatively allege there was no vehicular pursuit within the meaning of the Nebraska Political Subdivisions Tort Claims Act, § 13-911, at the time of such collision.

10. Defendants deny paragraph 10 of Plaintiffs' Amended Complaint.

11. Defendants deny paragraphs 11, 11(a), 11(b), 11(c), 11(d), 11(e), 11(f), 11(g), and 11(h) of Plaintiffs' Amended Complaint.

12. Defendants deny paragraph 12 of Plaintiffs' Amended Complaint.

13. Defendants admit, upon information and belief, that Tynell Jimmerson was 16 years of age on July 23, 2020; however, Defendants deny all remaining allegations of paragraph 13 of Plaintiffs' Amended Complaint.

AFFIRMATIVE DEFENSES

14. Defendants affirmatively allege that no actions of any City of Papillion police officer, including without limitation Detective Morrell, were the proximate cause, within the meaning of the Nebraska Political Subdivisions Tort Claims Act, § 13-911, of any alleged injury to Tynell Jimmerson or of any alleged damages.

15. Defendants affirmatively allege that no vehicular pursuit within the meaning of the Nebraska Political Subdivisions Tort Claims Act, § 13-911, took place during or relating to the collision alleged in Plaintiffs' Amended Complaint.

16. Defendants affirmatively allege that no alleged injury or alleged damages took place during any vehicular pursuit per Nebraska Political Subdivisions Tort Claims Act, § 13-911(1) and (2)(f).

17. Defendants affirmatively allege that Tynell Jimmerson was a not an innocent third party within the meaning of the Nebraska Political Subdivisions Tort Claims Act, § 13-911.

18. Defendants affirmatively allege that the direct and proximate cause of any alleged injuries to Tynell Jimmerson or of any alleged damages was the active contributory negligence and/or intentional actions of Cardell D. Conner, over whom Defendants had no control, including without limitation as follows:

- a. Intentionally ramming a law enforcement vehicle then driving away before the collision underlying Plaintiffs' Amended Complaint took place;
- b. Failing to keep a proper look-out;
- c. Failing to keep the vehicle he was operating under reasonable or proper control;
- d. Failing to keep the vehicle he was operating in compliance with traffic control devices/signals;
- e. Operating the vehicle in a willful reckless manner as prohibited by Neb. Rev. Stat. § 60-6,214;
- f. Operating the vehicle at a high rate of speed and in such a manner that the vehicle went airborne, causing the passenger's head to hit the inside roof of such vehicle, all before the collision underlying Plaintiffs' Amended Complaint took place; and
- g. Upon information and belief, operating the vehicle in a willful reckless manner by failing to yield the right-of-way to a favored

motorist while driving eastbound on Pratt Street and running the red light for eastbound traffic at 60th Street.

19. Defendants affirmatively allege that Plaintiffs' Amended Complaint fails to state a claim upon which relief can be granted.

20. Defendants affirmatively allege that Plaintiffs failed to comply with all condition precedents of the Nebraska Political Subdivisions Tort Claims Act.

21. Defendants are without sufficient knowledge and information at this time to determine the applicability of other affirmative defenses which may become apparent through discovery in this case and, therefore, reserves its right to plead other affirmative defenses or objections or defenses available under the applicable rules of civil procedure.

DATED: February 27, 2023.

CITY OF PAPILLION and DETECTIVE
ROBERT MORRELL, Defendants,

By: /s/ Julie M. Ryan

Julie M. Ryan #26623

Abrahams Kaslow & Cassman LLP

8712 W. Dodge Road, Suite 300

Omaha, NE 68114

(402) 392-1250

jryan@akclaw.com

Attorneys for Defendants

CERTIFICATE OF SERVICE

The undersigned hereby certifies that on February 27, 2023, a copy of the above and foregoing Answer to Amended Complaint was filed using the Nebraska e-Justice filing service and was served upon the following by email:

Greg Abboud

6530 S. 84th Street

Omaha, Nebraska 68127

greg@abboudlawfirm.com

Attorney for Plaintiffs

/s/ Julie M. Ryan

Julie M. Ryan

Certificate of Service

I hereby certify that on Tuesday, February 28, 2023 I provided a true and correct copy of the Answer to the following:

Jimmerson, Tynell, Minor represented by Gregory R Abboud (Bar Number: 17232) service method: Electronic Service to litigation@abboudlawfirm.com

Dent, Tywanda, represented by Gregory R Abboud (Bar Number: 17232) service method: Electronic Service to litigation@abboudlawfirm.com

Signature: /s/ RYAN, JULIE M. (Bar Number: 26623)

IN THE DISTRICT COURT OF DOUGLAS COUNTY, NEBRASKA

TYWANDA DENT, Individually, and
as Parent, Natural Guardian and Next
Friend of Tynell Jimmerson, a Minor,

Plaintiffs,

v

THE CITY OF PAPILLION and OFC.
ROBERT MORRELL

Defendants,

CASE NO. CI 23 – 502

NOTICE OF DEPOSITION

TO: The City of Papillion and Ofc. Robert Morrell, Defendants by and through
their attorney of record Julie Ryan.

COMES NOW, the Plaintiffs, by and through their attorney of record
Greg Abboud and hereby gives notice that pursuant to the Nebraska Discovery
Rules, the Plaintiffs will take the deposition of the following:

DEPONENT:	Ofc. Robert Morrell
TIME:	1:00 pm
DATE:	Tuesday, June 13, 2023
METHOD:	Via ZOOM Video Conference
LOCATION:	Abrahams Kaslow & Cassman 8712 West Dodge Road, Suite 300 Omaha, NE 68114
COURT REPORTER:	MTDS Court Reporting

Said deposition will be recorded by audio, audiovisual, stenographic and/or video means by an individual authorized to administer oaths in and for the State of Nebraska. Said deposition is taken for use as evidence at trial or in any proceeding before the Court, for discovery or any and all purpose in the above-captioned case. Said deposition shall continue from day to day until completed. This deposition will be conducted via Zoom. A link to the zoom meeting will be provided prior to said deposition.

DATED this 2nd day of May, 2023.

TYWANDA DENT, Individually, and as
Parent, Natural Guardian and Next Friend of
Tynell Jimmerson, a Minor, Plaintiffs

BY: /s/ Greg Abboud
GREG ABBODD #17232

FOR: Abboud Law Firm
6530 S. 84th St.
Omaha, NE 68127
Phone: (402) 592-5555
Fax: (402) 331-4569
greg@abboudlawfirm.com
Attorneys for Plaintiffs

CERTIFICATE OF SERVICE

The undersigned hereby certifies that on the 2nd day of May, 2023, the foregoing Notice of Deposition was filed utilizing the Justice E-File System and the undersigned relies upon that system to make electronic service upon the attorney(s) of record herein, and to the extent any of the following do not receive electronic service, a true and correct copy was sent via electronic mail to:

Julie Ryan
Abrahams Kaslow & Cassman
8712 W Dodge Rd, Ste 300
Omaha, NE 68114
jryan@akclaw.com

/s/ Greg Abboud

Certificate of Service

I hereby certify that on Tuesday, May 02, 2023 I provided a true and correct copy of the Notice Take Deposition to the following:

Morrell,Robert, represented by RYAN, JULIE M. (Bar Number: 26623) service method:
Electronic Service to jryan@akclaw.com

The City of Papillion represented by RYAN, JULIE M. (Bar Number: 26623) service method:
Electronic Service to jryan@akclaw.com

Signature: /s/ Gregory R Abboud (Bar Number: 17232)

Image ID: D00857494D01

NOTICE OF INTENT TO DISMISS

IN THE DISTRICT COURT OF Douglas COUNTY, NEBRASKA

Tywanda Dent v. The City of Papillion

Case ID: CI 23 502

NOTICE AND INSTRUCTIONS

Pursuant Fourth District Court Local Rule 4-10, this notice is sent to inform each party that, within thirty (30) days from the date of this notice, one of the parties **must submit a completed Proposed Scheduling Order (PSO) form to the District Court Administrator** for review and approval. The Court Administrator will send the approved PSO to the Court assigned the case for final review and entry of the order. The Court will not consider motions or stipulations to extend or excuse the filing of the Order.

Complete the PSO form by choosing one (1) of the following and signing and dating the form:

Part A. Contact the office of the Judge assigned to your case to get a date for a scheduling conference. One signature required.

Part B. Indicate the Trial or Final Hearing date, or the Trial held date if a decision is pending. One signature required.

Part C. Parties agree to pretrial deadlines and provide pretrial information or request a pretrial conference.

IF A PSO IS NOT SUBMITTED BY ONE OF THE PARTIES, THE ABOVE-CAPTIONED CASE WILL BE DISMISSED FOR LACK OF PROSECUTION.

FIND THE FORM

The form, "Proposed Scheduling Order", is online at www.dc4dc.com. Paper copies are also available in the District Court Administrators Office, 1701 Farnam Street, Suite 500.

FOR ALL CASES INVOLVING CHILDREN:

To avoid dismissal, submit a PSO to the District Court Administrator AND, both parties **must report to Douglas County Conciliation Court** at 1701 Farnam Street Suite 155 or contact the office by phone at 402-444-7169 to comply with Fourth District Court Local Rule 4-3D.

CHILD SUPPORT CASES

Please be advised, if your case is dismissed, all previous orders for child support will remain in full force and effect. Any temporary orders entered as part of the current action will be dismissed, if the proposed scheduling order is not submitted in the allotted time frame.

IF A CASE IS DISMISSED

Fourth District Court Local Rule 4-10(C) states that the Court assigned the case may, in its discretion, reinstate the case. To reinstate the case, submit the following forms to the office of the Judge assigned to the case: (1) a motion to reinstate the case stating good cause why it should be reinstated; (2) a completed PSO; (3) an order to reinstate for the Judge to sign. If the Judge finds that the case shall be reinstated, an order to reinstate and a scheduling order are filed. Forms are available in the Law Library Room H08 Hall of Justice 1701 Farnam Street and online at www.dc4dc.com.

If you have any question or concerns about this notice, please contact District Court Administrator, Sheri Larsen, either by email (dcadmin@dc4dc.com) or by telephone (402-444-7004).

Date: May 22, 2023



District Court Administrator

Julie M Ryan
jryan@akclaw.com

Please Email PSO to dcadmin@dc4dc.com

IN THE DISTRICT COURT OF DOUGLAS COUNTY, NEBRASKA

TYWANDA DENT, Individually, and
as Parent, Natural Guardian and Next
Friend of TYNELL JIMMERSON, a
Minor,

Plaintiffs,

vs.

THE CITY OF OMAHA,

Defendant and
Third-Party Plaintiff,

vs.

VIKING INSURANCE COMPANY
OF WISCONSIN,

Third-Party Defendant.

CASE NO. CI 22-3539

**MOTION TO
CONSOLIDATE**

TYWANDA DENT, Individually, and
as Parent, Natural Guardian and Next
Friend of TYNELL JIMMERSON, a
Minor,

Plaintiffs,

vs.

THE CITY OF PAPILLION and
OFC. ROBERT MORRELL,

Defendants.

CASE NO. CI 23-502

COME NOW, the Plaintiffs, pursuant to Neb. Rev. Stat. §25-703 and
hereby move to consolidate this action with the action titled *Tywanda Dent,
Individually, and as Parent, Natural Guardian and Next Friend of Tynell*

Jimmerson, a Minor, indexed at CI 23-502. In support of this motion, Plaintiffs show to the Court that these actions arise from identical facts and involve related parties to the first action. The Defendants in both actions were working together as part of a joint venture and/or joint enterprise when Plaintiff Tynell Jimmerson was injured in the accident out of which both cases arose. Therefore, consolidation of these actions for discovery and trial is appropriate.

DATED this 24th day of May, 2023.

TYWANDA DENT, Individually, and as
Parent, Natural Guardian and Next Friend
of TYNELLE JIMMERSON, a Minor, Plaintiffs

BY: /s/Greg Abboud
Greg Abboud, #17232
Abboud Law Firm
6530 S. 84th St.
Omaha, NE 68127
P: 402-592-5555/F:402-331-4569
E-mail: greg@abboudlawfirm.com
Attorney for Plaintiffs

NOTICE OF HEARING

YOU ARE HEREBY NOTIFIED that the above Motion will come on for hearing on this **10th day of July, 2023** before the Honorable Katie L. Benson, District Court Judge, Douglas County Courthouse, 1701 Farnam St., Omaha, Nebraska, **Courtroom 418** at **1:15 P.M.** or as soon thereafter as counsel may be heard.

/s/ Greg Abboud

Greg Abboud, #17232

CERTIFICATE OF SERVICE

The undersigned hereby certifies that on the 24th day of May, 2023, the foregoing Motion and Notice of Hearing was filed utilizing the Justice E-File System and the undersigned relies upon that system to make electronic service upon the attorney(s) of record herein, and to the extent any of the following do not receive electronic service, a true and correct copy was sent via United States Mail postage pre-paid to the addresses shown below.

Stacey Hultquist

City of Omaha

Stacey.hultquist@cityofomaha.org

Julie Ryan

City of Papillion

jryan@akclaw.com

Matthew Hammes

Viking Ins. Company

mhammes@lpdbhlaw.com

/s/ Greg Abboud

Certificate of Service

I hereby certify that on Wednesday, May 24, 2023 I provided a true and correct copy of the Motion-Consolidation to the following:

The City of Papillion represented by RYAN, JULIE M. (Bar Number: 26623) service method:
Electronic Service to jryan@akclaw.com

Morrell,Robert, represented by RYAN, JULIE M. (Bar Number: 26623) service method:
Electronic Service to jryan@akclaw.com

Signature: /s/ Gregory R Abboud (Bar Number: 17232)